IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7578 OF 2002

Anand Govind Panse ..Petitioner

Vs.

Durgaprasad S. Panse and ors. ..Respondents

Mr. Sachin Chavan h/f Mr. Shriram S. Kulkarni for petitioner.
Mr. S.A. Joshi h/f Mr. S.M. Oak for respondent no.1.
Mr. V.V. Savaji h/f Mr. P.B. Shah for respondent nos.11 and 12.
Mr. M.R. Katikar for respondent no.17.

CORAM: B.H. MARLAPALLE, J.

Date : June 13, 2006.

P.C.:

1. Heard the learned counsel for the respective parties.

2. By the impugned order passed by the learned Joint Civil Judge, Jr. Division, Baramati on 31/8/2001 allowing the application filed at Exh.308 in RCS No.98 of 1995, the defendant no.17 i.e. Shri Bhagwan Bhaskar Panse, an Advocate was allowed to be examined first and while doing so the learned Judge of the trial court had considered his age. When the suit

was filed Shri Bhagwan Bhaskar Panse was shown to be of the age of 84 years. Keeping in mind the respect that the learned Judge of the trial court exhibited for the age of defendant no.17, there is no error that the trial court committed in passing the impugned order and surprisingly this petition remain pending before this court for last more than five years.

3. Petition is rejected summarily. Trial of the suit is expedited.

. Certified copy be issued on priority.

. Writ to go forthwith.

(B.H. Marlapalle,J.)